

BEST AVAILABLE COPY

01/20/05

18:39

88602880115

CANTOR COLBURN L

RECEIVED
CENTRAL FAX CENTER

001/003

JAN 20 2005

CERTIFICATE OF TRANSMISSION BY FACSIMILE (37 CFR 1.8)

Applicant(s): Mark E. Dristy, et al.

Docket No.

PES-0048

Application No.

09/965,675

Filing Date

September 27, 2001

Examiner

M. Ruthkosky

Group Art Unit

1745

Invention: APPARATUS AND METHOD FOR MAINTAINING COMPRESSION OF THE ACTIVE AREA IN AN ELECTROCHEMICAL CELL

I hereby certify that this Request to Consider IDS & Comments on Statement for Reasons for Allowance (2 pgs)
(Identify type of correspondence)

is being facsimile transmitted to the United States Patent and Trademark Office (Fax. No. (703) 872-9306)

on January 20, 2005

(Date)

Sonia Mancini

(Typed or Printed Name of Person Signing Certificate)

Sonia Mancini
(Signature)

Note: Each paper must have its own certificate of mailing.

BEST AVAILABLE COPY

PES-0048

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Mark E. Dristy, et al.)
Serial No.: 09/965,675) Group Art Unit: 1745
Filed: September 27, 2001) Examiner: M. Ruthkosky
For: APPARATUS AND METHOD FOR)
MAINTAINING COMPRESSION)
OF THE ACTIVE AREA IN AN)
ELECTROCHEMICAL CELL)

VIA FACSIMILE: (703) 872-9306
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

REQUEST TO CONSIDER IDS and
COMMENTS ON STATEMENT OF REASONS FOR ALLOWANCE

Sir:

This correspondence is submitted in response to the Notice of Allowance and Fees Due dated November 26, 2004.

Information Disclosure Statement

Applicants respectfully request that the Examiner consider the art submitted in the Information Disclosure Statement and associated PTO Form 1449 mailed November 8, 2004 and received by the USPTO on November 10, 2004 (see IFW in PAIR). Applicants also respectfully request a copy of a fully initialed PTO Form 1449 and a supplemental Notice of Allowance.

PES-0048

Comments on Statement of Reasons for Allowance

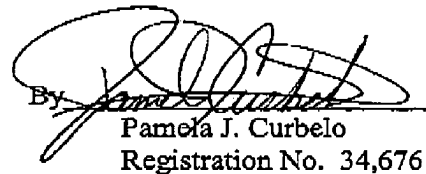
Claims 2 – 11 and 43 – 70 have been allowed. In the Examiner's reasons for allowance, it is stated that "the plate includes a plurality of raised portions concentrically disposed thereon and receive compression members are there between." (Notice of Allowance, Page 3).

Applicants note that the claim element is not that the raised portions "receive compression members", but that the "raised portions being configured to receive compression members therebetween". (Claims 4 and 60).

If there are any charges with respect to this correspondence or otherwise, please charge them to Deposit Account No. 06-1130.

Respectfully submitted,

CANTOR COLBURN LLP

By 
Pamela J. Curbelo
Registration No. 34,676

Date: January 20, 2005
CANTOR COLBURN LLP
55 Griffin Road South
Bloomfield, CT 06002
Telephone (860) 286-2929
Facsimile (860) 286-0115
Customer No.: 23462